

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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| MICHAEL FOSTER, | : | Case No. 1:04cv1032 |
| | : | |
| Plaintiff, | : | JUDGE KATHLEEN O'MALLEY |
| | : | |
| v. | : | |
| | : | |
| GERALD T. McFAUL, <i>et al.</i> , | : | ORDER |
| | : | |
| Defendants. | : | |

The Court recently conducted an on-the-record telephonic conference to resolve a discovery dispute, after which it issued an order summarizing its rulings. *See* Doc. 72. The third bullet point of that order, in part, provides that the “Plaintiff is prohibited from serving any interrogatories or additional requests for admission.” *See* Doc. 72 at p. 2. For the reasons that follow, the Court **AMENDS** its prohibition on serving interrogatories. The Plaintiff is permitted to serve interrogatories in conformity with this order.

In so far as interrogatories were not the subject of the discovery dispute at issue, and because the Plaintiff has yet to serve any interrogatories in this case, the Court **HEREBY ORDERS** that the Plaintiff shall be permitted to serve no more than fifteen (15) interrogatories on each Defendant.

IT IS SO ORDERED.

s/Kathleen M. O’Malley
KATHLEEN McDONALD O’MALLEY
UNITED STATES DISTRICT JUDGE

Dated: August 23, 2005